

DIVISION VII
LAND RECORD INFORMATION SYSTEM

Sec. 98. NEW SECTION. 12B.6 CERTAIN PUBLIC FUNDS OF POLITICAL SUBDIVISIONS.

All funds received, expended, or held by an association of elected county officers before, on, or after the effective date of this Act, to implement a state-authorized program, are subject to audit by the auditor of state at the request of the government oversight committees or the legislative council. All such funds received or held on and after July 1, 2005, shall be deposited in a fund in the office of the Treasurer of State.

Sec. 99. Section 331.605C, subsection 4, Code 2005, is amended to read as follows:

4. The local government electronic transaction fund is established in the Office of the Treasurer of state under the control of the Treasurer of State. Moneys deposited into the fund are not subject to section 8.33. Notwithstanding section 12C.7, interest or earnings on moneys in the local government electronic transaction fund shall be credited to the fund. Moneys in the local government electronic transaction fund are not subject to transfer, appropriation, or reversion to any other fund, or any other use except as provided in this subsection. On a monthly basis, the county treasurer shall pay each fee collected pursuant to subsection 2 to the treasurer of state for deposit into the local government electronic transaction fund. Moneys credited to the local government electronic transaction fund are appropriated to the treasurer of state to be used for the purpose of paying the ongoing costs of integrating and maintaining the statewide internet website developed and implemented under subsection 1.

Sec. 100. COUNTY REAL ESTATE ELECTRONIC GOVERNMENT ADVISORY COMMITTEE.

1. A county real estate electronic government advisory committee is created. Staffing services for the advisory committee shall be provided by the auditor of state. The advisory committee membership shall consist of the following:

- a. Two members selected by the Iowa state association of county auditors.
- b. Two members selected by the Iowa state county treasurers association.
- c. Two members selected by the Iowa county recorders association.
- d. Two members selected by the Iowa state association of assessors.
- e. One member selected by each of the following organizations:
 - (1) Iowa state association of counties.
 - (2) Iowa land title association.
 - (3) Iowa bankers association.
 - (4) Iowa credit union league.
 - (5) Iowa state bar association.
 - (6) Iowa association of realtors.

2. The county real estate electronic government advisory committee shall facilitate discussion to integrate the county land record information system created pursuant to section 331.605C with the electronic government internet applications of county treasurers, county recorders, county auditors, and county assessors. The advisory committee shall file an integration plan with the governor and the general assembly on or before November 1, 2005.

Sec. 101. COUNTY LAND RECORD INFORMATION SYSTEM -- ADDITIONAL PROVISIONS.

1. The board of supervisors of each county, on behalf of each county recorder, shall execute a chapter 28E agreement with the Iowa county recorders association for the implementation of the county land record information system. Such agreement shall require the Iowa county recorders association to execute contracts necessary for implementation of the county land record information system. The Iowa county recorders association shall submit to the general assembly on or before November 1, 2005, a long-range business plan for implementing and maintaining the county land record information system, including a plan for integrating the system with electronic government and internet applications of other governmental entities.

2. The auditor of state shall conduct an audit of the fees collected pursuant to section 331.605C for the purpose of determining the amount of fees collected and the uses for which such fees have been and are being expended. Audit results shall be filed with the general assembly on or before November 1, 2005. The cost of the audit, not to exceed five thousand dollars, shall be paid from the local government electronic transaction fund in the office of the treasurer of state.

3. County recorders shall collect only statutorily authorized fees for land records management. County recorders shall not collect fees for viewing, accessing, or printing documents in the county land record information system until authorized by the general assembly. However, county recorders may collect actual third-party fees associated with accepting and processing statutorily authorized fees including credit card fees, treasury management fees, and other transaction fees required to enable electronic payment. For the purposes of this subsection, the term "third-party" does not include the county land record information system, the Iowa state association of counties, or any of the association's affiliates.

4. The Iowa State Association of Counties shall provide information to the government oversight committees on or before July 1, 2005, defining all types of land management records, identifying each county or state office that holds such records, and specifying the fees associated with each of the different types of records.

5. The fees collected, including those previously collected and deposited locally, pursuant to section 331.605C, shall be transferred to the Treasurer of State for deposit into the local government electronic transaction fund.

Sec. 102. DATA SECURITY AUDIT.

1. The Iowa County Recorders Association shall select a vendor to conduct a data security audit of the county land record information system created pursuant to section 331.605C. The review and assessment utilized in the audit shall include, but are not limited to, a review of the functional and system requirements, design documentation, software code developed to support the business requirements, operational procedures, financial flows including a financial forecast, requests for proposals, and all contracts.

2. The costs of the data security audit conducted pursuant to subsection 1 shall be paid from moneys appropriated to the Treasurer of State pursuant to section 331.605C.

3. The Iowa County Recorders Association shall forward the complete results of the data security audit to the government oversight committees of the senate and the House of Representatives and the General Assembly on or before December 1, 2005, and the government oversight committees may request additional updates.

Sec. 103. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.